

Wilson G. Weisenfelder, Jr. (0030179)
Trial Attorney for Defendants, Village of Golf Manor, Chief Stephen Tilley
and Officer Roby Heiland
RFK&D No. 240-1116

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

RECEIVED

APR 11 2002

KENNETH J. MURPHY, Clerk
CINCINNATI, OHIO

THE ESTATE OF ROGER D.
OWENSBY, JR., BY AND THROUGH
ROGER D. OWENSBY

: Case No. C-1-01-769

Plaintiff,

:

Judge Spiegel

v.

:

AFFIDAVIT OF ROBERT HEILAND

CITY OF CINCINNATI, et al.,

:

Defendants.

:

COUNTY OF HAMILTON

:

:

SS:

STATE OF OHIO

:

I, Robert Heiland, being first duly cautioned and sworn, depose and state:

1. I, Robert Heiland, am a police officer employed by the Village of Golf Manor and was so employed on November 7, 2000;

2. My shift on November 7, 2000 was from 6:00 p.m. until midnight;

3. I was at the Golf Manor Police station and received a broadcast at approximately 7:50 p.m. that an officer needed assistance at a location of Langdon Farm and Seymour;

4. I went to the scene in my cruiser and entered the parking lot from the Seymour Road entrance;

5. I observed two uniformed Cincinnati Police Officers with the suspect, who I now know was Roger Owensby, who was handcuffed;

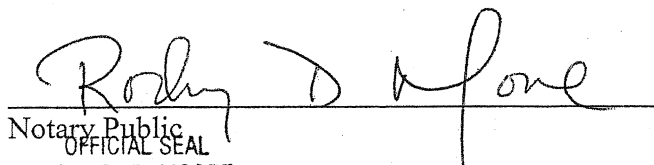
6. I parked my cruiser in the parking lot and was asked by the Cincinnati officers, who were holding Mr. Owensby, if they could put him in the back of my cruiser;
7. I indicated they could and I opened the door for them;
8. The Cincinnati officers placed Mr. Owensby in the back of my cruiser without any assistance from me;
9. I stood in the parking lot with my partner, Chris Campbell, and watched the officers tending to Mr. Owensby;
10. I observed the Cincinnati officers begin CPR on Mr. Owensby;
11. The City of Cincinnati paramedics arrived and took Mr. Owensby from the scene;
12. I did not have any physical contact with Mr. Owensby;
13. Mr. Owensby was never in my custody or control;
14. I was not the supervisor of any of the police officers at the scene;
15. I had no input with respect to any medical care, if any, rendered to Mr. Owensby by City of Cincinnati police officers.

FURTHER, AFFIANT SAYETH NAUGHT.


Robert Heiland

Sworn to before me and subscribed in my presence this 25th day of March 2002.




Notary Public
OFFICIAL SEAL
RODNEY D. MOORE
My Commission Expires
BUTLER
My Commission Expires
FEBRUARY 20, 2006

February 20, 2006